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# Finding common ground? The European Union and European Civil Society framing of the role of trade in the Sustainable Development Goals

## Introduction

The proposals for the global Sustainable Development Goals/SDG framework offer an extensive cross-section of the policy positions and ideologies of different European actors. This article analyses the evolution of the European Union's official position on the SDGs in relation to that of the major European civil society organisations. It focuses on the role of trade policy as the core issue linking development policy with geoeconomics and geopolitics. The EU has consistently espoused cosmopolitan and moral values (such as in advocating a 'rights-based' approach to development and stressing an integrated and universal approach) which have been praised by civil society activists/CSOs (Maxwell, 2013). On the other hand the opposition of development CSOs to the EU's trade liberalisation agenda in the developing world is well known. The non-binding SDGs offer an opportunity for CSOs to shape the EU's trade and development discourse. Did the EU take on board some of their framing of this issue or did it merely co-opt some of their language? This article analyses the major texts of the various EU institutions and its civil society interlocutors in the three years leading up to the global agreements on the SDGs. An open consultation with civil society on the Post-2015 Development Agenda in 2012 offers a comprehensive starting point for this study. The research involves a content analysis of the documents of the different stakeholders combined with a qualitative analysis of how trade policy – in particular the responsibilities of different actors – is 'framed' and a broader analysis of the underlying discourse and power dynamics. It traces the influence of the ideas espoused by CSOs on the evolving policy discourse on this area. The theoretical framework draws on Carstensen and Schmidt's categorization of different forms of ideational power with a particular focus on how they inter-relate (2016).

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The various actors in the SDG process were promoting ideas – and policy norms more specifically – at global and regional levels (Manners, 2006; Finnemore and Sikkink, 1998). As such this research will contribute to understanding the normative power of CSOs within the EU, as well as specifically contributing to the literature on policy framing in the EU. It should also help CSOs reflect on how to pinpoint and utilise the ‘rhetoric traps’ - textual commitments that can be used to exert moral pressure - in official discourse (Schimmelfennig, 2001). The article demonstrates that despite the relative openness of the EU to CSOs a rigid institutional and ideational discipline serves to insulate trade policy from more challenging thinking, even in a non-legally binding case such as this one. However, it notes importance differences within the EU institutions and ongoing pressures challenging the EU’s framing of trade and development. The paper begins by elaborating on the policy issues and the actors studied. Following on from this the methodological approach is explained. The next section looks at the 2012 consultation. The subsequent section analyses the positions of EU institutions in detail and compares them to that of CSO positions followed by an analysis of ideational and discursive power dynamics.

### **I. institutional and policy context**

The purpose of the SDGs, as with the MDGs, is to establish global priorities for development and thus shape the activities of governments and international organisations. As such they can be understood as global norm promotion (Fukuda-Parr and Hulme, 2009; Kentikelenis and Seabroke 2017), and an effort to constitute a global development community (in terms of commitments and roles). The SDG agenda is much more expansive, holistic and political than the original MDGs (which focused on socio-economic goals). Firstly the MDG track was integrated with an originally separate SDG track (to include climate change, energy and other environmental factors) but more generally the agenda went beyond ‘aid’ to include many global policy issue-areas including security and trade policy. Trade has featured in discussions on the successor to MDG 8 (the goal of a ‘Global Partnership for Development’/GDP) in particular.<sup>2</sup> MDG 8 implied commitments from the developed world on aid, debt relief and trade, but there was a lack of specificity and accountability (United Nations Task Team Report, 2013: 6).

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<sup>2</sup> MDG Target 8A was ‘develop further an open, rule-based, predictable, non-discriminatory trading and financial system’.

The trade milieu is universally recognised as crucial to development but there is sharp disagreement on how the two are linked (Page, 2006). Trade policy is also clearly relevant to the sustainability agenda and the international trade system – as one of the more legalised areas of global governance – is often described as a force for stability. The Doha Development Agenda launched in 2001 has been in stasis for many years. There had been a consensus among major powers (established economies and emerging powers) on supporting the WTO but sharp disagreement on how it should develop (Scott, 2015). Contemporary issues in world trade politics include the relationship between trade and environmental sustainability, the role and nature of ‘aid for trade’, the application of the principle of ‘special and differential treatment’ for developing countries and the perennial issue of developed country agricultural policies (Wilkinson, Hannah and James, 2014).

The EU as an institution has sought to portray itself as a leader in development and the EU institutions have strongly promoted the principle of Policy Coherence for Development (Verschaeve, Delputte and Orbie, 2016). This asserts that developed countries should consider the effects of all policies (including trade) on developing countries and reform them accordingly. In practice this has proven difficult for many reasons, including the limitations of the EU’s authority and the complexity of issues (Carbone, 2008). The EU has had a pioneering role in combining trade and development, but of course its efforts here controversial and its Economic Partnership Agreements with ACP states (for example) have been heavily criticised ( Del Felice, 2014). Burchell and Lightfoot noted the EU’s reliance on its standard, self-interested, WTO trade posture during the World Summit on Sustainable Development, despite some misgivings within the institutions (2004: 85-86 ). Generally the EU is understood as having a nuanced but essentially neoliberal approach to trade and development (Meunier and Nicolaïdis, 2006; Young and Peterson, 2013; Holden, 2015). The Trade DG of the Commission is noted for being particularly wedded to neoliberal trade policy (De Ville and Orbie, 2011; Siles-Brügge ,2014b). In this study of the SDGs the Commission and Council (as the primary policy innovator and ultimate authority respectively), are deemed to articulate ‘EU’ policy but the voices of other institutions are also considered.

The term 'civil society' includes a vast array of different organisations, movements, concerns and opinions together (Brown, 2014; Tvedt, 2002). The organisations/networks are self-selecting in this case; these are the ones engaging with the EU on these topics. The CONCORD network (the major 'official' network of EU NGOs) and the 'Beyond 2015' global civil society platform – a platform that included 1,581 organisations from 142 countries – are focused on here (Beyond 2015, 2015a). CSOs' attitude to trade varies widely but they tend to share common critiques of the type of 'free trade' practiced by the EU. In particular there is much more concern over the impact of trade liberalization and export-led growth on human development and the environment, as well as criticisms of the perceived protectionism and selfishness of developed states (Watkins and Fowler, 2002). Of course, some 'CSO discourse' has also been adopted by more progressive member states, such as the Nordic EU members (Elgström, 2016). However, unlike CSOs the latter have refrained from directly challenging trade policy. The SDG process offered a platform to promote a different conception of trade policy and as the SDGs are not legally binding there was the potential to elicit more flexibility.

## **II. Methodological approach**

Efforts to determine the influence of CSOs on policy generally focus on the policy outputs versus the declared aims of the CSOs (Szent-Iványi and Lightfoot, 2016). In this case the congruence between CSOs on EU texts is traced in greater empirical detail and a theoretical framework is offered to understand the process. Framing refers to how particular issues and problems are represented (Bøås and McNeill, 2004 ; Daviter, 2007), 'in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation' (Entman, 1993: 52). Discourses are understood as broader sets of language with logics, ideological assumptions and connotations (Fairclough, 2010). In this case the focus is on rhetorical framing, which can be understood as the enactment of discourses for a specific purpose (Thomas and Turnbull, 2017).

The framing of the relationship between trade and development is clearly highly contested within global society more generally, as the hegemony of free trade (Holden, 2015) is challenged by civil society and the changing global geo-economic environment.

Understanding the contestation in this instances requires a framework for analysing the

different interrelationships between ideas and power. Carsten and Schmidt provide a comprehensive categorization of the different forms of ideational power within a discursive institutionalist framework (2016)<sup>3</sup>.

‘Power through ideas’ refers to the persuasiveness of an agent’s ideas, based on their intrinsic quality and or their articulation. These ideas are internalised due to their cognitive or emotional power. For example, the power of scientific argument or the moral power of certain arguments. Gauging this is relatively subjective but it could also be done through empirical analysis/surveying.

‘Power over ideas’ refers to the ability of an agent to shut down other opinions or to exclude them more subtly (through restricting the debate based on criteria such as a expertise or institutional marginalisation). This ideational power is clearly related to other forms of material/institutional power. However, less material powerful actors can also render certain ideas unspeakable (Finnemore, and Sikkink, 1998) through the use of shaming mechanisms which renders , for example, racism taboo in mainstream discourse (even if internally believed). Another example is the ‘rhetoric trap’ where actors can be held to their past rhetoric and pressured to avoid contradicting it. In Schimmelfennig’s own exemplar, member states which had rational interests against EU enlargement were dissuaded from voicing these by pro-enlargement member states invoking previous rhetoric of European unity and openness (2001:72-74). In the case at hand the declared EU principles of rights-based development and sustainability could potentially open a rhetoric trap for CSOs to pressure the EU to moderate its commitment to trade liberalisation (and in turn create a greater rhetoric trap for the future).

‘Power in ideas’ refers to the ‘structuring power’ of broad ideas to shape thought in the longer term. This is articulated in the concept of ‘hegemonic discourses’ in critical discourse analysis (Fairclough, 2010) which refers to structures that shape thought and intrinsically marginalise certain viewpoints. Such ideational power is intrinsic to the discursive institutionalist definition of ‘institutions’ as including ‘structures and content of meaning’ and ‘frames of culturally imposed practices and identity’ (Schmidt, 2017: 252; Schmidt, 2011). This also relates to historical institutionalist thought as beliefs are institutionalised in

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<sup>3</sup> These three categories subsume a vast range of theoretical approaches in the social sciences, which cannot all be discussed here for reasons of space.

laws and rules, for example the EU's institutionalisation of fiscal austerity policies (Warren, Howell, Holden; 2017).

Their categorization is heuristic and clearly the different forms of ideational power are interrelated. Parsons for example, outlines how French support for European integration in the 1950s was caused by the persuasiveness of the integration idea for certain elites and the ability of these elites to set the agenda (Parsons, 2003). This article analyses how different agents try to use power through ideas, exert power over ideas and how this is affected by (but in turn affects) the general dominance of neoliberalism in EU development policy. The empirical focus here is on formal policy documents (where positions are outlined comprehensively) as opposed to speeches or media material. The study includes the initial CSO questionnaire responses and the subsequent policy papers. There are three interrelated but distinct levels of analysis. The first is a basic content analysis (using NVivo software) of the texts in question. This helps us draw inferences about trade as a topic and how it relates to other priorities. The next level is an analysis of how trade policy is framed within the texts (this is done in as systematic manner as possible using a form of coding). The third level is a deeper analysis of the ideational framing of the texts.

At level two the texts are analysed in terms of how they represent trade as a factor in development (in the past and the future) and how the different issues and roles/responsibilities are articulated. Specific and ways of approaching the major policy issues were derived from an initial survey of the documentation (see table 1) and these provide the basis for a coding of the texts. These include the roles/responsibilities of different classes of actors (categorised as developed countries, emerging economies and least developed countries). The coding is non-binary and includes a basic ordinal scale to distinguish between different degrees of emphasis on a given point. The scale for a given issue is as follows:

0 Not mentioned

1 Covered partly or indirectly

2 Quite strong (in terms of language used and/or frequency in the text)



3 An imperative (use of language such as ‘must’, comprehensively discussed in the document)

The third level offers a deeper analysis of the ideational framing of trade in the texts and the outcomes here are understood in terms of ‘power through’, ‘power over’ and ‘power in’ ideas. The first considers the rhetorical framing overall (the causal logic and emotional/political resonance of the texts). The second considers the power struggles within and between the different texts and how interdiscursivity works, i.e. how different discourses are ordered and rhetoric traps avoided (Fairclough, 2010). These discourses are outlined in section V; they include neoliberal discourse (which privileges the need for global open markets and trade liberalisation), moral economy/human development discourse, radical anti-capitalist discourse as well as discourses of sustainability (Dryzek, 2005) and geopolitics. Lastly, the outcome is also considered in terms of the overall structuring ideology (power in ideas) behind the EU’s approach to trade and development over time.

Although the empirical focus is on the texts<sup>4</sup> these are not understood in a vacuum. Power over ideas derives from other forms of institutional and material power in particular the legal competences and resources of the different actors. Power in ideas is a longer-term phenomenon embedded within institutional historical paths and the material forces which shape discourses. In this case these broader power relations are not the subject of empirical research as the basic facts are uncontroversial. As outlined in section V the Commission and the member states keep control of the drafting process. Also the longer term power of neoliberalism within the Commission is generally recognised (see section II), while the economic basis of this power is relatively clear.

### **III. The 2012 Consultation**

82 CSOs responded to the 2012 consultation (including 80 NGOs and two foundations, there were also some professional/religious associations and trade unions, not included in this figure). The Commission asked 18 questions based on four headings: opinions of the existing

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<sup>4</sup> One interview was conducted with an EC official to clarify the precise process by which the EC documents were produced (see section V).

MDG framework, feasibility of a new global development framework, the potential scope of a new agenda (including purpose, coverage, the role of new actors such as the private sector and emerging countries, as well as the role of Policy Coherence for Development) and the potential 'shape' of a new agenda (governance methods, the role of targets and indicators etc.). In forming the questionnaire the Commission was of course framing the input to a considerable degree (putting forward the question of emerging powers and their role for example) but the broad scope certainly allowed for stakeholders to put forward their views. The NGO respondents included mostly European based NGOs and networks but a significant number of globally linked or southern NGOs also. Thematically, respondent organisations were concerned with 'development' but also health, human rights and gender.<sup>5</sup> Given the variety of different types of networks (global, regional, national) as well as different organisations submitting there is bound to be significant overlap (and this emerges in common language on trade).

54 of the NGO questionnaire responses cited trade in their text.<sup>6</sup> (Appendix one shows the frequency of trade as a topic compared with other public policy issues). Clearly it is one of the most salient topics. Unsurprisingly a major focus was on the responsibility of developed countries, to reform/improve their trade policies and the global trade framework in line with the principle of PCD (only two did not mention trade in this context). 20 respondents cited the responsibilities of emerging countries (or middle income countries, including two respondents who simply cited 'all countries') in regard to PCD and this was often less strong. 15 respondents cited the responsibility of least developed country governments (including the two who simply cited 'all'). A phrase repeated almost verbatim emphasised the need to take account of 'the impact of richer and emerging countries' policies in areas such trade, tax and financial regulation' (Beyond 2015, 2012). (Emerging countries are not always included in this, see above). Others are more directly negative about the global trade system, for example the Austrian Global Responsibility Platform/GRP citing it as one of the 'structural causes' of hunger and stating that 'Major trade agreements must be revised in order to assure the sovereignty of all states in regard to taxes, customs, currency and

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<sup>5</sup> At this time the Post-2015 and the SDG agenda had not been fully integrated so there is a distinct lack of environmental organisation submissions (although many will have submitted as a part of the networks).

<sup>6</sup> The complete responses are available @ <http://ec.europa.eu/europeaid/node/13549> .

financial flows' (GRP, 2012: 11). Certain sector specific issues are apparent as, for example, health NGOs focused on the Trade Related Intellectual and Property Rights/TRIPS agreement and access to medicines. Support for 'fair trade' (as distinct from mainstream trade law and policy) also featured.

The Commission released a report (compiled by consultants) at the end of the process, summarising the findings (Jones, 2012). This included a section on member state input (the sources of which are not publicly available). Notably the member states do not mention PCD as a priority. This report accurately recounts the input of the NGOs, including the criticisms regarding PCD, but does not go into detail as to these criticisms (trade is mentioned twice but only vaguely). It emphasises the respondents call for developing countries to take responsibility and gives this more space than criticisms about global and developed country policies on taxation, finance and trade policy. All in all the report is a reasonable reflection of the NGO input but slightly skewed in the above respect and intermingled with the non-transparent input of member states (a relatively blunt example of 'power over ideas').

#### **IV. Proposals for the SDGs**

The SDG agenda cuts across the competence of the EU and member states. Individual member states contributed their own proposals while states such as Ireland and Hungary took a leading role in the UN process. This article concentrates on the collective EU institutions, which (unsurprisingly) framed trade much more positively than the CSOs. Trade features strongly in the EU texts, in comparison with the final SDG document and the CSO consultations (see appendix 2). A comparison of the positions of the different actors is outlined in table 1 and appendix 3.

#### **The 'EU executive' (the Commission and the Council).**

The Commission outlined its recommended approach to the Post-2015/SDG agenda in a 2013 Communication entitled 'A Decent Life for All' (European Commission, 2013). A later Communication expanded on this (European Commission, 2014). Liberal trade policy is presented as a vital force for growth and poverty eradication: 'The role of trade and trade

openness in the context of sound domestic policies and reforms is central to poverty eradication and sustainable development' (ibid: 13). The growth of trade is cited as a major factor in the development successes hitherto. It argues that the income gained from trade can be used to fight poverty (2013 doc), this is the closest to a discussion of the link between trade and *human* development. As was already strongly signalled in EU policy documents (European Commission, 2011; Siles-Brügge ,2014a) the Commission is proposing a stronger distinction between least developed countries/LDCs (poorer developing countries) and emerging economies. It stresses the responsibilities of emerging economies including on reducing barriers to south-south trade (European Commission, 2015: 13). It calls for greater transparency in the trade policies of emerging economies (ibid). Naturally the EU is presented as a major trading partner and an example for other states (European Commission, 2013: 5). No new EU actions are advocated (merely a continuance of good practice). From the EU's point of view trade is a means of supporting international labour standards and of supporting good governance/human rights (through trade conditionality). Generally trade is framed as a crucial positive element of PCD, the potential or actual negative impact of trade does not appear. Potentially awkward issue-areas such as agriculture and fisheries are not discussed at all, neither is WTO reform considered. Trade is conceived of as means of supporting environmental sustainability (through freer trade in environmental products). There is no explicit recognition of tension between trade and sustainability.

One of the key proposed objectives of the proposed GPD is 'stimulate trade to eradicate poverty and promote sustainable development' (European Commission, 2015 9). Again the core responsibility is with developing countries themselves. On sustainability the EU is presented as a positive example while free trade in environmental goods is advocated. To combat the potential negative effects of trade on the environment (which are not explicitly discussed) the EU relies on a mix of public international law/guidelines and private actions (ethical corporate behaviour): it calls for 'the development of international guidelines and standards, as well as public and private sustainability schemes (such as fair trade schemes)'. The EC accepts that vulnerable developing countries still need support and here is where developed world commitments come in, namely 'improved market access and aid for trade'. The EC trumpets its own progress here including its simplified rules of origins procedures

and various preference schemes. Again responsibilities for emerging economies are emphasised; they should provide market access and increase development aid (ibid, 10).<sup>7</sup>

The Council of the European Union is the ultimate gate-keeper within the EU and the Commission is unlikely to present proposals contrary to the positions of the member states. The Council endorsed and reiterated the Commission's proposals (Council of the EU, 2013; Council of the EU, 2014). It stressed that 'Commitments must be made by all, reflecting the universality of the agenda' (Council of the EU, 2015). In regard to sustainability it states that trade agreements 'must appropriately integrate sustainable development including its social and environmental dimensions' (ibid, 18). Generally, the Council supported the Commission's view of the GPD, the importance of 'behind the border' issues, the role of aid for trade, the responsibilities of emerging countries in terms of aid and trade policy and the ideal of 'developing sustainable global value chains'.

Table 1 about here

### Other EU institutions

The European Parliament embodies a wide range of views but the Committee system serves to work out a consensus. Since the Lisbon Treaty the power of the Parliament over trade has grown significantly (Rosén, 2016) and its agenda on trade and development is far close to the CSO line. A resolution of 2013 'Deplores the lack of coherence between institutions of global governance, in particular regarding the multilateral trade, finance and environmental architectures' (European Parliament, 2013). It advocates fair trade, and supports the arguments as to the potential benefits of trade for sustainable development but then 'urges the EU, in this respect, to ensure that its trade policy is coherent with the EU's development goals'. A report adopted by the Committee on Development on the Post-2015 framework (2014) notes the need for 'more demanding commitments for the EU and its Member States' (Ivo Stier, 2014: 10). It explicitly address the potentially negative impact of trade liberalisation noting that financial costs of LDCs of reducing tariffs (ibid: 11). It also brings in a power dimension, noting that 'in a largely globalised economy, labour's bargaining power has been reduced through liberalisation' (ibid). It stresses 'equity' strongly (ibid: 16),

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<sup>7</sup> The annex to this document outlines more specific policy recommendations on trade policy.

implying a broader sense of fairness beyond legal equality. Lastly it calls for the 'right to food', something the mainstream institutions did not, probably because it could justify policies that contravene WTO law. In more radical language the European Economic and Social Committee called for a 'transition towards a new economic model' (Pichenot, 2013: 12). It supports civil society involvement in the monitoring of trade agreements and calls for Aid-for-Trade to be diverted to this purpose. It calls for integration of the principles of the 'right to food' into EU trade policies (ibid: 12).

#### Civil Society: 'Beyond 2015' and CONCORD

CONCORD's position paper on the post 2015 agenda supports the idea of the Post-2015 agenda being 'integrated, holistic and transformative' but offers a much more critical and politicised approach to trade. It argues that 'trade policy must become a tool for empowerment' (CONCORD, 2012: 5). It also 'must become more transparent and less dominated by a narrow set of interests working in favour of the biggest companies' (ibid). Their ideas of how trade could be linked with human development are more direct: 'promote sustainable and equitable trading relationships with a focus on small-scale producers and businesses which can contribute to spreading employment and wealth more evenly in society' (ibid).

The more problematic dimensions of existing trade policy are highlighted: including the danger of a 'race to the bottom' (in terms of environmental and labour standards), supply chain inequality/inequity and unsustainable use of natural resources. (These issues are only obliquely covered in the mainstream EU texts). The actual goal it proposes in relation to trade is 'reform trade policy and practice to promote sustainable human development'. Related goals include regulation and supervision of the financial sector, taxation reform and democratisation of international financial institutions' (ibid: 10). A joint European Task Force/ETF- CONCORD position paper (ETF-CONCORD, 2013) again stressed participation and power. Trade policy is 'all too often dominated by a narrow set of interests', it stressed the need for public oversight. It also raises the question of power in relation to global supply chains and policy space: 'participation of communities and people in local and national policy-making processes would be rendered meaningless if the policy space enjoyed by their

government at the regional and/or international level is so limited as to prevent any effective policy debate'. The contradictions between sustainability considerations and export-led growth are also dealt with head-on. The paper calls for strong legal international commitments and mechanisms: 'Binding regulation set at the highest standard to reflect human rights and environmental obligations and at a level set by forerunners in this regard (for instance in the area of Fair Trade)'. It also calls for 'a clear mandate for the UN to enforce coherence in the policies and programmes of bodies such as ... the World Trade Organisation'. The negative impact of trade liberalisation agreements on countries ability to tax effectively is noted and generally there is a much stronger focus on the responsibilities of developed countries.

In brief this framing of trade issues chimes with that of the Parliament but was implicitly rejected by the EU executive, which offered very limited new commitments (on trade) and emphasised the responsibilities of other actors. The core EU response may have been pre-determined by changes in EU trade and development policy in the years before the SDG process (European Commission, 2011; European Commission, 2012). It is clear that these were instigated in response to the financial crisis and the rise of emerging powers such as China (Holden, 2015).<sup>8</sup> The EC/CEU texts on the SDG agenda continue the emphasis on differentiating between developing countries and emerging countries, placing more pressure on the latter to reform. In the eventual global agreement document the goals/targets on trade policy were also anodyne (they mostly drew on pre-agreed WTO principles and did not allocate specific responsibilities) although it did include some language such as 'equity' in trade which the EU would not use (United Nations, 2015).

## **V. Framing, discourses and power**

The CSO texts exemplify a 'moral economy', rights-based (market limiting), human development discourse. The CSO discourse is not anti-capitalist (there is no talk of class, relations of production, exploitation or even trade dependency). In fact there is positive

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<sup>8</sup> Before this, the Global Europe strategy indicated a new emphasis on opening up emerging economies (European Commission, 2006).

language on capitalism and trade, but the flaws of the current system and the urgency of the challenges facing humanity are stressed. The title of one document 'putting people and planet first' stresses that other values are above economics. There is a rights-based language throughout – for example 'the right to food' – which shapes the economic discourse and it calls for more powerful regulatory/interventionist global governance 'robust mechanisms to improve the respect and monitoring of PCD'. The geopolitical ideology is broadly speaking 'liberal' but much more regulatory than the neoliberal consensus. Political and emotional language features throughout, with phrases such as 'just governance' 'empowerment' 'meaningful participation' or more negatively the 'shroud of anonymity' regarding global economic actors. Generally it proposes a Polanyi-esque agenda of 're-embedding' markets in social and environmental realities (Polanyi, 2001)

The EU executive's texts have adopted much of this moral economy discourse . The phrase 'a decent life for all' is itself emotive, emphasising altruistic, universal human ideals. Notably the EC calls for not just equality but also 'equity' and 'justice'. The Communication vividly outlines 'pillars of life' for the planet, which outweigh any particular economic/political interest (European Commission, 2013: 8). It also emphasises a rights based approach. Notwithstanding this however, a neoliberal discourse shapes the narrative: free markets and free trade are constantly and intrinsically connected with positive notions of sustainable development. Economic growth is the means by which normative development objectives can be achieved and this is 'market-based'. The political goal of equality is covered by the ideal of 'inclusive growth' (but the term is not developed). 'Decent job creation' is linked with 'export competitiveness' (although clearly these two do not necessarily coincide).

In the follow up document this is repeated 'trade openness' is 'central to poverty eradication and sustainable development' (European Commission, 2014: 13). The key drivers of 'inclusive and sustainable growth' are 'market-friendly, open economies'. The path to development must come via trade and connecting with 'global value chains'. In the GPD document trade is inextricably interrelated with liberal reforms and sustainable development (European Commission, 2015). LDCs 'need support in order to facilitate their integration into the global trading system and so derive maximum economic, social and environmental benefits' (ibid: 10). Trade is linked with a broader liberalisation of public



policy: 'To realise the full potential of trade, all countries have to increasingly reflect 'behind-the-border' issues in their trade policy' (ibid). These include labour and environmental regulations, intellectual property rights and public procurement. Regarding sustainability, liberalising trade for environmental products is presented as a boon for the environment while the obvious dangers of expanded trade are only dealt with obliquely ('sustainable consumption patterns'). Trade is embedded in liberal political and geopolitical discourse. Geopolitically 'the value of the rules-based system established under the WTO' is reaffirmed as is the 'level playing field' it allegedly guarantees (European Commission, 2015: 9). Interdependence is stressed as is universality (both are implicit in the concept of SDGs). It repeats the mantra of 'effective and inclusive multi-stakeholder partnerships' implying increased involvement of business and civil society. It is a vision of coordinating different sectors of global governance, the modes proposed are those of peer learning, monitoring rather than global legal regimes (ibid: 6). The EC does not echo other actors' call for regulation of finance, production etc. or a re-regulation of trade for developmental interests.

In analysing this outcome the relevance of different conceptions of ideational power are evident. The most salient factor is the control of the Commission over the process and its power over ideas. Even non legally-binding Communications are subject to rigorous internal discipline. Within the Commission, the Development and Environment DGs led the drafting of these documents but this was in strict consultation with other interested DGs, such as Trade, Agriculture and Employment (Interview, April 2018). Then via a more formal 'inter-service consultation mechanism' all of other units can check the document which is also scrutinised by the legal service and Secretariat General. While there were frequent contacts with Beyond 2015 and the European Parliament rapporteur this was very much a Commission document, based on its right of initiative. The formal influence of member states is slight at this stage also (a seminar was held for member state officials to give their opinion) but given their power in the EU as a whole the Commission had to take their views into account (ibid). The Parliament's own resolution (Ivo Stier, 2014) was framed as an input for the Council, which did not take on board its more critical approach.

In contrast, the power over ideas available to the CSO community was to shame the EC into confronting the dissonance between trade liberalisation and its other professed values (the 'rhetoric trap' approach). Schimmelfennig's example of the rhetoric trap, involved powerful member state governments exploiting the past rhetoric of other states (2001). The CSOs and likeminded interlocutors in the representative EU institutions have nothing like the resources or position of these state actors. In this case the Commission had the power to frame the, potentially problematic, SDG agenda and to craft the texts to obscure these contradictions. It did this by insulating the economic discourse from the rights-based discourse. Rights are referred to mostly in particular senses minority rights, the rights of disabled people, indigenous populations women's rights rather than a general right to development or the 'right to food' (with potentially more trade and economic implications). In contrast the CSOs, the EP and EESC documents have more central rights-based discourse with the implication that economic factors must be moulded/subservient to social-ethical considerations. The EESC document for example, notes approvingly that 'trade rules' are included as basic "pillars of life" in the Commission Communication but this is incorrect; 'trade rules' are not included under this rubric (European Commission, 2014: 8). In summary the particular enaction and order of discourses serves to neutralise/compartmentalise the more potentially challenging moral economy discourse.

The Commission can do this with some veneer of credibility because of the inherent power of neoliberalism (power through ideas). Neoliberalism's holistic assumptions as to the benefits of markets allows the EC to link trade liberalisation inextricably with economic and social progress in the longer term, and thus present these policies as ethical. However the power of pure neoliberalism is greatly reduced in the contemporary world. This is evidenced by the intense opposition to the EU's own EPA agenda (Del Felice, 2014), the success of illiberal emerging economies and the rise of populist anti-globalization forces in the West. As such the EC needs to carefully combine the different discourses - as outlined above - to craft its message. In contrast the CSOs draw on considerable power through ideas as they articulate values with undoubted moral power such as human rights, equity, universalism and sustainability; applying them to trade policy with uncomfortable implications. In other respects their power through ideas is limited. The idea of 're-embedding' markets in social and environmental realities is hard to express parsimoniously

and lacks the logical power of more radical discourses. Notions of participation, empowerment and accountability are vague and lack political teeth. The CSOs may regret, for example, the asymmetric power relations within global supply chains but have no practicable solution to this problem (arguably it is intrinsic to capitalism). One frame that has proven effective for opponents of free trade has been the nationalist/sovereignty argument, for example in the case of the proposed TTIP/Transatlantic Trade and Investment Partnership (Siles-Brügge, 2018). This cannot be invoked here, given the cosmopolitan ethos.

This process illustrates the structuring power (power in ideas) of neoliberalism within the lead EU institutions in an era in which the intrinsic persuasiveness (power through ideas) of neoliberalism is under threat. Liberal capitalism is an existential feature of the EU, with fundamental economic and social interests behind it, notably transnational production and services (while it is also linked with a conception of security). As noted in section II, the Commission, especially DG Trade, is recognised as having embedded neoliberalism in recent decades. As such the power of neoliberal discourse (assumptions about the primacy of market forces) remains even if its intellectual credibility is greatly weakened. In contrast the CSO's moral economy framing is not aligned with any clear economic interest in Europe. To summarise, the structuring power of neoliberalism over time (based on institutional, social and economic interests) meant that the EC was predisposed to privilege its conception of free trade over other developmental and ethical concerns, even for a non-binding exercise such as this. It needed to include the moral economy discourse as neoliberalism (although still a flexible and totalising ideology) has lost some of its power. All of this was possible as despite the relative openness of the EU system, the lead EU institutions retain tight control over the drafting of the EU's position.

## **Conclusion**

The article has combined a systematic content analysis with a broader policy framing and discourse analysis. Substantially, it has traced the limits of how far the EU is willing to go in terms of adapting trade policy for global development and sustainability objectives. Methodologically it is argued that this combination of content analysis and discourse

analysis is a fruitful approach for policy relevant discourse analysis of a range of subjects. For a deeper understanding of this particular process the article has applied Carstensen and Schmidt's framework of ideational power with a particular emphasis on the interrelation between different forms of ideational power. It demonstrates that a holistic analysis is possible, of the intrinsic quality of ideas and framing, of process and institutional context as well as the longer term structuring power of ideas intertwined with institutions. The particular outcome of non-change in trade policy discourse was overdetermined. The dominant single factor was the institutional 'power over ideas' of the EU institutions (this combined with the embedded power of neoliberal discourse, rooted in historical pathways and economic forces). Efforts to use the power over ideas (exploiting rhetoric traps) of the weak were not successful partly because the complexity of this policy area renders shaming less effective but also because of a lack of institutional power. In this situation the intrinsic power of ideas ('power through ideas') was never going to be determinative. In any case while the CSO's moral economy agenda has undeniable moral force it lacks the rhetorical power of right-wing populism or radical left-wing approaches. The holistic framework adopted here is felicitous for analysing the interrelation between different forms of ideational power. The framework does assume that the ideational/discursive cannot be definitively separated from the institutional more broadly and others may wish to challenge this.

Previous research which argued that trade policy remains a strikingly insulated and rigid part of the EU's global development diplomacy has been borne out by this study (Burchell and Lightfoot, 2004). Sharp differences emerge with NGOs over the extent to which market forces might be directly constrained by human development considerations. The dominant EU discourse is a form of moderated neoliberalism. Despite the non-legally binding and idealistic nature of the SDG exercise, the key discipline was maintained with locked-in assumptions about the benefits of trade liberalisation. The CSO consultation exercise had, in the case of trade policy, very little influence. The EU's SDG texts do not provide new 'rhetoric traps' but the civil society community does have leverage from the EU's pre-existing legal obligations to support sustainable development and PCD. Given the extensity and intensity of interests in trade policy CSO lobbying in this area will always be against the odds. However, important differences emerged between the Commission-Council nexus and

the European Parliament, which tilts towards the CSO discourse. Given the increased power of the Parliament over trade policy there is potential for it to develop a distinctive, more critical, voice within the EU. The cordon sanitaire between trade policy and politics more generally was guarded rigorously by the lead EU institutions in the case of the SDGs but in an era in which trade policy is being politicised, this is being challenged from different directions. The challenges since 2015 have come not from globally agreed reforms based on universalist values of human development and sustainability but from nationalist movements within Europe and North America. In this context CSOs may find themselves defending the development friendly elements of the EU acquis rather than expanding them. Either way the struggle to shape trade discourse and policy is likely to intensify.

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## Interviews:

**INT#01: European Commission, International Cooperation and Development DG, 04.04.2018, Brussels (by telephone).**

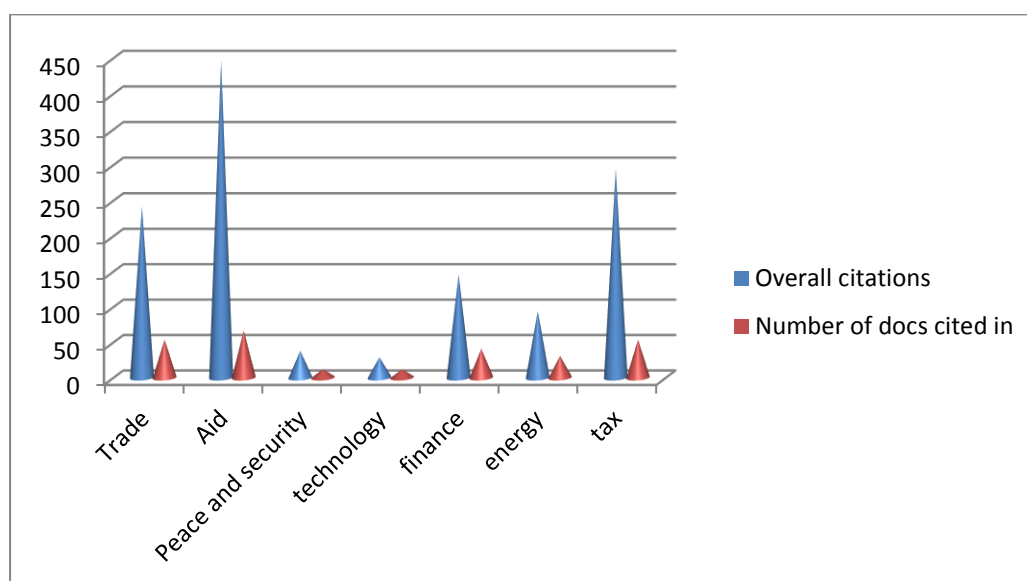
Table 1 Roles and responsibilities in the texts

	Responsibility to take action In the following areas:	EC/CE (5 texts)	EP	EESC	CSOs (4 texts)
<b>Developed countries</b>	Market access (to LDCs)	3	3	3	3
	Aid for trade	3	3	3	2
	'Behind the border issues'	3	0	0	0
	Reform	3	0	0	3
	Support PCD	2	3	0	3
<b>Emerging countries</b>	Market access (to LDCs)	3	2	1	0
	Aid for trade	2	0	0	0
	'Behind the border issues'	3	0	0	0
	Reform	3	0	0	0
	Support PCD	3	1	0	0
<b>LDCs</b>	Market access	0	0	0	0
	Aid for trade	0	0	0	0
	'Behind the border issues'	3	0	0	0
	Reform	3	0	0	0
	Support PCD	2	0	0	1

(Source: documents outlined in section IV)

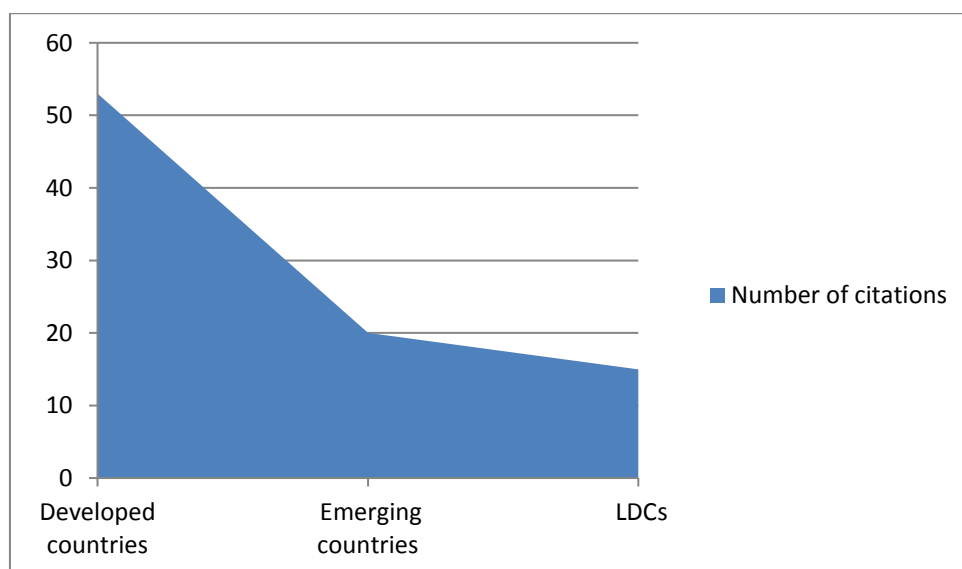
## Appendix 1: The 2012 survey responses

### A. Comparing the frequency of key terms cited in the survey responses



Source: Consultation responses (available @ <http://ec.europa.eu/europeaid/node/13549> )

### B. Who is responsible? (Frequency of mentions of three different categories of state in the survey responses).<sup>9</sup>

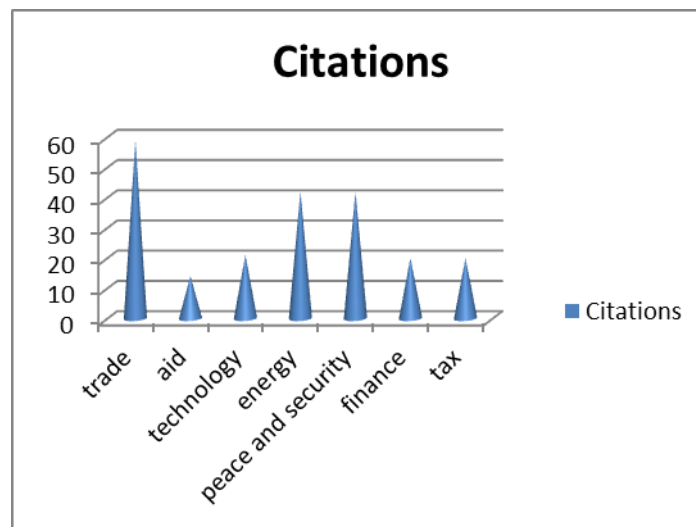


Source: Consultation responses (available @ <http://ec.europa.eu/europeaid/node/13549> )

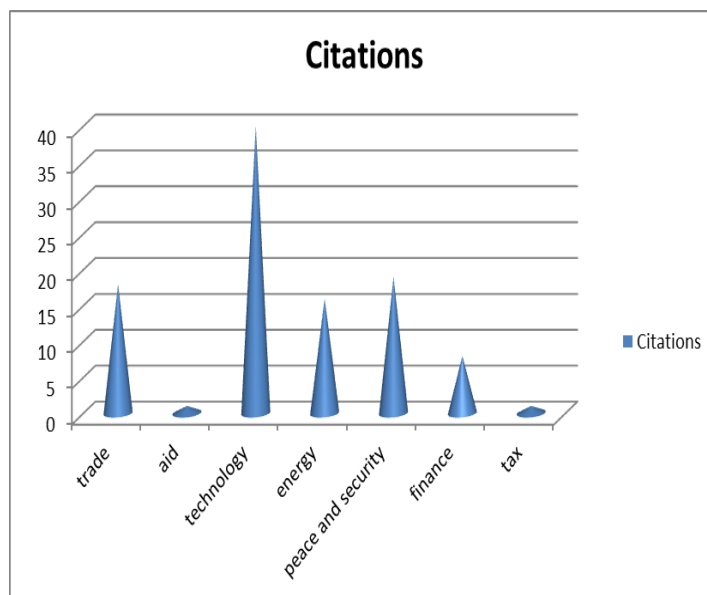
<sup>9</sup> Note, these are not exclusive, if an organisation cited emerging countries they invariably cited developed countries and so forth.

Appendix two: word frequency in the core documents noted.

#### A The three European Commission documents



#### B The final SDG outcome document approved by the General Assembly



### Appendix 3

The framing of issues in the texts covered (same sample as table 1 in the text)

Issues		EC/CEU	EP	EESC	CSOs
Trade and development	And economic growth	3	3	2	2
	And human development	2	2	1	1
	Negative impact	0	2	1	3
Trade and sustainability	To be considered/monitored	1	2	2	3
	Negative impact*	1	3	1	2
	Trade supporting sustainability	2	1	1	1
Trade and global governance	Support for WTO	3	2	0	0
	'Equitable' reform	0	3	3	3
Trade and power	Geopolitical	0	0	0	0
	Domestic/political	0	2	0	3
Trade and human rights	Trade and labour rights	2	3	0	0
	Trade and human rights	1	0	2	3
	Trade and food rights	0	1	2	1